

HOUSE No. 614

By Miss Reinstein of Revere, petition of Kathi-Anne Reinstein for legislation to impose a penalty for commercial motor vehicle oil spills on public ways. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO OIL SPILLS ON PUBLIC WAYS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 85 of the General Laws is hereby amended by adding
2 the following section:—

3 Section 37. Any commercial motor vehicle or trailer used to
4 deliver gasoline, oil or other flammable material which causes a
5 spill in excess of 100 gallons on any way as defined in section one
6 of chapter 90 shall be subject to a civil penalty not to exceed
7 \$10,000 for each such spill.

8 Said penalty shall be in addition to liability for costs incurred
9 by the Commonwealth or any political subdivision thereof on
10 cleaning and removing such spill.

11 The superior court department of the trial court shall have juris-
12 diction to enforce the provisions of this section.

13 Any civil penalty imposed under the provisions of this section
14 shall be paid over to the treasury of the city or town wherein the
15 spill took place.